

1 BRIAN P. CLARK  
Nevada Bar No. 4236  
2 LUCAS MCCOURT  
Nevada Bar No. 11839  
3 CLARK MCCOURT  
7371 Prairie Falcon Road, Suite 120  
4 Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
5 Facsimile: (702) 474-0068  
bpc@clarkmccourt.com  
6 *Attorneys for Defendants David M. Downes,*  
*Daniel R. Downes, Colleen P. Downes, and*  
7 *Karen A. Macaulay*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF NEVADA**

11 METROPOLITAN LIFE INSURANCE  
COMPANY,

12 Plaintiff,

13 v.

14 DAVID M. DOWNES, DANIEL R.  
DOWNES, COLLEEN P. DOWNES,  
15 KAREN A. MACAULAY, BRADLEY  
RANDALL, CHRISTA D. SHEDD,

16 Defendants.  
17

Case No. 2:22-CV-00894-MMD-BNW

**ORDER GRANTING STIPULATION  
AND PROPOSED ORDER FOR  
DISMISSAL OF ACTION WITH  
PREJUDICE**

18 IT IS STIPULATED AND AGREED by and between Defendants David M. Downes,  
19 Daniel R. Downes, Colleen Downes, and Karen Macaulay (hereinafter, the “Downes Defendants”),  
20 and Defendants Christa D. Shedd aka Christa D. Downes and Bradley Randall (hereinafter, the  
21 “Shedd Defendants”), by and through their counsel of record, that the above-captioned action be  
22 dismissed with prejudice pursuant to FRCP 41(a)(1)(A)(ii). On August 2, 2023, the Court  
23 dismissed with prejudice Plaintiff Metropolitan Life Insurance Company from this matter. (ECF  
24 No. 46).  
25

26 ///

27 ///

1 It is further stipulated and agreed that each party shall bear its own attorney's fees and costs  
2 of suit.

3 DATED this 9<sup>th</sup> day of August, 2024.

DATED this 9<sup>th</sup> day of August, 2024.

4 CLARK MCCOURT

NEHME-TOMALKA AND ASSOCIATES

5  
6 /s/ Lukas B. McCourt

/s/ Doris Nehme-Tomalka (with permission)

7 Brian P. Clark  
8 Nevada Bar No. 4236  
9 Lukas B. McCourt  
10 Nevada Bar No. 11839  
11 7371 Prairie Falcon Road, Suite 120  
12 Las Vegas, NV 89128  
13 *Attorneys for Defendants David R. Downes,*  
14 *Daniel Downes, Colleen P. Downes, and*  
15 *Karen A. Macaulay*

Doris Nehme-Tomalka  
2620 Regatta Drive, Suite 102  
Las Vegas, NV 89128  
*Attorney for Defendants*  
*Christa Downes aka Christa Shedd and*  
*Bradley Randall*

13 **ORDER**

14 It is hereby ordered that Case No. 2:22-CV-00894-MMD-BNW is DISMISSED WITH  
15 PREJUDICE, each party to bear their own attorney's fees and costs of suit.

16  
17 DATED: August 14, 2024

18  
19  
20   
21  
22  
23  
24  
25  
26  
27  
28 UNITED STATES DISTRICT JUDGE

**CERTIFICATE VIA CM/ECF**

Pursuant to FRCP 5, I hereby certify that I am an employee of CLARK MCCOURT and that on the 9<sup>th</sup> day of August, 2024, I caused to be served via CM/ECF a true and correct copy of the document described herein.

**Document served: STIPULATION AND PROPOSED ORDER FOR DISMISSAL OF ACTION WITH PREJUDICE**

Kristina N. Holstrom  
10801 W. Charleston Blvd., Suite 500  
Las Vegas, NV 89135  
*Attorney for Plaintiff*

Doris Nehme-Tomalka  
Nehme-Tomalka and Associates  
2620 Regatta Drive, Suite 102  
Las Vegas, NV 89128  
*Attorney for Defendant*  
*Christa Downes aka Christa Shedd and*  
*Bradley Randall*

/s/ Won Lee  
An employee of Clark McCourt

**Won Lee**

---

**From:** Doris Nehme-Tomalka <doris@nehme-tomalka.com>  
**Sent:** Friday, August 9, 2024 10:40 AM  
**To:** Won Lee  
**Cc:** Brian Clark  
**Subject:** Re: SAO to Dismiss with Prejudice and SAO to Distribute

Yes, you may submit the two stipulations using my e-Signature.

Thank you. Have a good weekend.

Doris Nehme-Tomalka, Esq.  
Nehme-Tomalka & Associates  
2620 Regatta Drive, Suite 102  
Las Vegas, Nevada 89128  
702.240.5280 (Ph)  
702.240.5380 (Fax)

On Aug 9, 2024, at 9:37 AM, Won Lee <Wlee@clarkmccourt.com> wrote:

Thank you, Doris. Please let us know if we have your permission to add your e-signature to the two SAO's. Thank you.

Sincerely,  
*Won Lee*  
Paralegal

Brian P. Clark and Lukas B. McCourt



CLARK MCCOURT, LLC  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Tel 702.474.0065  
Fax 702.474.0068  
wlee@clarkmccourt.com

---

**From:** Doris Nehme-Tomalka, Esq. <doris@nehme-tomalka.com>  
**Sent:** Friday, August 9, 2024 9:17 AM  
**To:** Won Lee <Wlee@clarkmccourt.com>